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SUPPLEMENTAL REISSUE DECLARATION

We, as the below-named inventors, hereby declare that our residences, post office addresses, and citizenships are as stated below adjacent our names, that we verily believe we are the original, first and joint inventors of the invention described and claimed in Letters Patent No. 5,235,581, issued August 10, 1993, and in the specification filed August 5, 1991, and for which invention we solicit a reissue patent; that we have reviewed and understand the contents of the specification attached hereto, including the claims; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this Reissue Application No. 09/609,829 in accordance with Title 37, Code of Federal Regulations, §1.56(a); and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States prior to filing of Application Serial No. 740,629 filed August 5, 1991 (from which Patent 5,235,581 issued) by us or our legal representatives or assigns, except as follows:

Japanese Patent Application Nos. 02-212537 filed August 9, 1990, 02-285006 filed October 22, 1990, and 03-044798 filed March 11, 1991.

The priority of Japanese application nos. 02-212537, 02-285006 and 03-044798 was claimed in said U.S. application and is also hereby claimed in this Reissue Application and certified copies are available in the patent file.

We further declare that we believe said Letters Patent is, through errors which arose without deceptive intent on the part of the applicants, wholly or partially inoperative by reason of claiming more or less than we had a right to claim in the patent. We hereby provide a statement of at least one error relied upon to support this reissue application, in that independent claims 87, 91, 93, 95, and 97 of the present reissue application cover subject matter not recited in the original claims and thus depart from the subject matter of the original claims at least in that claims 87 and 91 recite, *inter alia*, that the converging means comprises different numerical apertures and converges the light flux as a smaller spot diameter D by employing a larger one of the effective numerical apertures, with respect to one of the optical discs having a

thinner one of the first layers, and claims 93, 95 and 97 recite, *inter alia*, that the converging optical system converges the light flux as a spot with a smaller diameter D by employing one of the first converging means and the second converging means having a larger one of the numerical apertures, with respect to one of the optical discs having a thinner one of the first layers. Thus, the above-identified changes and departures from the original claims represent an "error" in the original patent under 35 USC 251.

We hereby appoint the following as our attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office.

James E. Ledbetter, Registration No. 28,732;
Thomas P. Pavelko, Registration No. 31,689; and
Anthony P. Venturino, Registration No. 31,674.

All correspondence in connection with this application should be sent to:

James E. Ledbetter, Esq.
STEVENS DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
Washington, D.C. 20036
Telephone: (202) 408-5100
Facsimile: (202) 408-5200

We, as the undersigned inventors, further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue application or of any reissue patent to issue thereon.

Naoyasu MIYAGAWA

Naoyasu Miyagawa
(Signature)

Feb. 15. 2001
(Date)

Residence: Suita-shi, Japan

Citizenship: Japanese

Post Office Address: 17-21-202, Fujigaokacho, Suita-shi, Japan

Yasuhiro GOTOH

Yasuhiro Gotoh
(Signature)

Feb. 15. 2001.
(Date)

Residence: Kadoma-shi, Japan

Citizenship: Japanese

Post Office Address: 5-1-710, Yanagimachi, Kadoma-shi, Japan

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Naoyasu MIYAGAWA, et al. Art Unit: 2753

Serial No.: 09/609,829 Examiner: N. Hindi

Filed: November 22, 1999

For: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL DISKS WITH VARIOUS DISK SUBSTRATE THICKNESSES

STATEMENT UNDER 37 CFR 3.73(b)

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to MPEP $1.410.01, the undersigned, a duly authorized representative of Matsushita Electric Industrial Co., Ltd., the Assignee of the entire right, title and interest in U.S. Patent No. 5,235,581, hereby establishes the Asignee's ownership interest in this patent by specifying that the evidence of such ownership interest is recorded at Reel 5796, Frame 0668 of the U.S. Patent and Trademark Office microfilm files. A copy of the recorded Assignment is attached.

For and on behalf of

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

(Signature)

Osamu Yamazaki
Director, Intellectual Property Center
Authorized Signing Officer

(Name)

FEB 20 2001

(Date)

(Title)

P 7406[illegible] 1638-01
(JOINT INVENTORS)

ASSIGNMENT

IN CONSIDERATION of the sum of One Dollar($1.00) or the equivalent thereof, and other good and valuable consideration paid to Naoyasu MIYAGAWA and Yasuhiro GOTOH,

citizens of Japan by MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD., a corporation organized under the laws of Japan,

located at 1006, Oaza Kadoma, Kadoma-shi, Osaka, Japan,

receipt of which is hereby acknowledged, we, the said Naoyasu MIYAGAWA and Yasuhiro GOTOH,

do hereby sell and assign to said MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.,

~~their~~ its successors and assigns, all our right, title and interest, in and for the United States of America, in and to "OPTICAL DISC APPARATUS"

invented by us and described in the application for United States Letters Patent therefor, executed on even date herewith, and all United States Letters Patent which may be granted therefor, and all divisions, continuations and extentions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by said

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.,

~~their~~ its Successors, assigns or other legal representatives, to the full end of term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made;

And we hereby agree to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of said above-named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, reviewed or reissue applications or in any amendment, extention, or interference proceedings, or otherwise to secure the title thereto in said assignee;

And we do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

Signed on the dates indicated aside our signatures:

	INVENTORS (発明者フルネームサイン)	Date Signed (署名日)	Witnesses (立会人サイン)
1)	Naoyasu Miyagawa (Naoyasu MIYAGAWA)	July 30, 1991	Seiki Fujimoto
2)	Yasuhiro Gotoh (Yasuhiro GOTOH)	July 30, 1991	Seiki Fujimoto
3)	()		
4)	()		
5)	()		
6)	()		
7)	()		
8)	()		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Naoyasu MIYAGAWA, et al. Art Unit: 2753

Serial No.: 09/609,829 Examiner: N. Hindi

Filed: November 22, 1999

For: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL DISKS WITH VARIOUS DISK SUBSTRATE THICKNESSES

ASSENT OF ASSIGNEE TO REISSUE

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

The undersigned, a duly authorized representative of Matsushita Electric Industrial Co., Ltd., the Assignee of the entire interest in U.S. Patent No. 5,235,581, hereby assents to the above-captioned Reissue Application of said patent.

For and on behalf of

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

(Signature)

Osamu Yamazaki
Director, Intellectual Property Center
Authorized Signing Officer

(Name)

FEB 20 2001

(Date)

(Title)

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JC95

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:	Naoyasu MIYAGAWA, et al.	Art Unit: 2753
Serial No.:	09/609,829	Examiner: N. Hindi
Filed:	November 22, 1999	
For:	OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL DISKS WITH VARIOUS DISK SUBSTRATE THICKNESSES	

DECLARATION AS TO INACCESSIBILITY OF LETTERS PATENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

The undersigned, a duly authorized representative of Matsushita Electric Industrial Co., Ltd., the Assignee of the entire right, title and interest in U.S. Patent No. 5,235,581 and the Applicant for a reissue patent based on the above-identified original patent, hereby declares that said original patent is inaccessible as it was surrendered in connection with parent reissue application number 08/396,981 (now RE 36445 issued December 14, 1999).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue application or of any reissue patent to issue thereon.

For and on behalf of

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

(Signature)

Osamu Yamazaki
Director, Intellectual Property Center
Authorized Signing Officer

(Name)

FEB 20 2001

(Date)

(Title)